



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: NORBERT MILLER

Serial No.: 09/769,827

Filed: JAN. 24, 2001

For: METHOD FOR THE AUTOMATION OF
ALLOCATION PROCESSES FOR
PRODUCTS AND/OR SERVICES

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) Group Art Unit: 3629
)
) Examiner: Ruhl, D.W.
) Petitions Examiner:
) Brinkley, S.D.
)
) Confirmation No. 5172
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)

RESPONSE TO DECISION ON PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA on	
17 SEPT. 2009	
(Date of Deposit)	
Daniel Drexler	
(Name of Person Mailing Paper)	
Signature	Date
<i>[Signature]</i>	9-17-2009

This paper is filed in reply to the Decision of the Office issued 17 March 2009 dismissing the 'Petition for Revival of an Application Abandoned Unintentionally' filed by Applicant on 12 January 2009. Herein, Applicant requests reversal of the Decision and withdrawal of the outstanding Notice of Abandonment under 37 C.F.R. 1.181(a) based upon evidence that a reply was timely mailed.

A proper reply was timely filed by Applicant on 11 November 2004 in response to the Office Action of 04 May 2004. This reply included a Certificate of Mailing in accordance with 37 C.F.R. 1.8(b) stamped on page 1 of the reply and executed by the undersigned. The reply further included, on page 12 thereof, a proper petition for extension of time in accordance with 37 C.F.R. 1.137. This timely reply was mailed to the U.S. Patent and Trademark Office via first class mail along with a self-addressed stamped and itemized return receipt postcard. However, post card was not returned and the reply was apparently not received by the Office. Hence, the application lapsed improperly into abandonment.

02/18/2010 CKHL0K 00000012 061130 09769827
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